

UNITED STATES GOVERNMENT

Memorandum

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
1 - W EXEMPTION CODE: 25X(1)
1 - D DATE 09-02-2015 BY: J43J41T42
1 - A. Rose
1 - T. E. B
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

TO : C. D. Brennan

~~CONFIDENTIAL~~

DATE: 5/4/71

FROM : W. A. Branigan

- 1 - C. D. Brennan
- 1 - W. A. Branigan
- 1 - J. F. Hengemuhle
- 1 - J. P. Thomas

CLASSIFICATION
ACTION
Walters
Soyars
Tele. Room
Holmes
Gandy

CLASS. & EXT. BY 6584/14/24
REASON-FCIM II, 1-2.4.2
DATE OF REVIEW 5-4-91

0
SUBJECT: MEDBURG
This recommends against Philadelphia's proposal to request Department consider prosecution of newspapers which printed excerpts from classified memorandum regarding [redacted] which was among documents stolen in Media Resident Agency burglary.

B. APPROX 1957

b1 per ARMY
b6 per ARMY

We have received news clippings (copies attached) from "The Evening Star," Washington, D. C.; "Newsday," Long Island, New York; and "Thursday Drummer," Philadelphia, Pennsylvania, all of which quote in part from aforementioned memorandum, say it was classified "Secret" and carry reporters' by-lines. "The Washington Post," the "Philadelphia Inquirer" and "The Daily Pennsylvanian," University of Pennsylvania, have also carried similar articles on the case. Philadelphia recommended we present matter to Department for prosecutive consideration.

b6 per ARMY

Enclosures
1 - 105-205033 (Shore)

52-94527
JPT:pld
(10)

CLASSIFIED BY 1258 mld/ln
EXEMPT FROM GDS, CATEGORY 2
DATE OF DECLASSIFICATION INDEFINITE
MAY 18 1971
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~~SECRET~~

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~~SECRET~~

Memorandum Branigan to Brennan
Re: MEDBURG
52-94527

b1 per ARMY
b6 per ARMY

person not entitled to possession of it. However, to sustain
'prosecution we would have to: 1) [redacted] (S)

Refer to Army
2) consider prosecution of several newspapers and reporters -
they would undoubtedly raise freedom of the press issue;
3) publicly explain FBI interest in youth later determined
to be 14 years old, and in his father, a college faculty member,
on whom documents state additional investigation was considered
following closing of case on [redacted] father previously
had been investigated as admitted former member of Communist
Party and fronts; 4) publicize and explain fact that although
Philadelphia 'classified memorandum "Secret," the Bureau felt
it actually warranted only "Confidential," [redacted]

[redacted] and ordered it rewritten before dissemination.

Although this additional correspondence not publicized, thieves
may have Bureau's critical letter to Philadelphia pointing out
this and other form errors in memorandum.

ACTION:

Inasmuch as both Department [and DIA] have been given
basic facts of theft and compromise, there is no need for us
to specifically seek a prosecutive opinion, and we will not do
so, if you agree.

WBS *AW* *osaw* *u* *v* *neg* *ST* *WBS* *ok* *gmm*

I concur
h

~~CONFIDENTIAL~~

~~SECRET~~